



DISCLOSURE TO BUYER FROM SELLER
AND BUYER ACKNOWLEDGMENT

The following, if initialed, are applicable to the transaction as contemplated in the Offer to Purchase and Contract by and between Fleming Homes LLC ("Seller") and _____ ("Buyer"):

Covenant and Zoning Disclosure Agreement. Buyer acknowledges that Seller has not performed a full title examination of the property, in order to determine the existence of restrictive covenants and other conditions of title to the property in question, including zoning requirements, the existence of a homeowners association, or easements. If available and requested, such restrictions and conditions have been or will be supplied to Buyer, and, if applicable, Buyer acknowledges receipt of same. Buyer is advised to seek legal counsel should there be a question regarding the legal implications of such restrictions and conditions, if any, including, if applicable, whether the common area has been conveyed to the homeowners association.

Public versus Private Road Acknowledgment. Buyer acknowledges that the access to the Property to be purchased is via a public _____ private (check one) road. If private, the road is currently maintained by _____ the developer _____ the homeowners association _____ the owners fronting the road right of way (check one). If private and maintained by the developer, the road _____ will _____ will not (check one) be turned over to the North Carolina Department of Transportation (NCDOT) for future maintenance. Buyer is advised to verify whether the road, if public, has been accepted into the NCDOT road system for future maintenance. The website for this verification is <https://apps.dot.state.nc.us/srlookup/>. Buyer is advised to seek legal counsel should there be a question regarding the legal implications of road maintenance if the road is private and/or has not been accepted into the NCDOT road system.

Disclosure and Release Regarding Mold. Mold and/or other microscopic organisms may exist in or around the Property, which may cause physical injuries, including, but not limited to, allergic and/or respiratory reactions, particularly in persons with immune systems problems, young children or the elderly. Buyer acknowledges this and accepts full responsibility and risk for any and all injuries which may arise out of the exposure by client to mold and/or other microscopic organisms. Buyer is advised to conduct his/her/their own due diligence using appropriate and qualified experts.

Square Footage and Property Size/Dimensions. The measurements and square footage of the Property were measured and calculated by the Listing Agent, or were obtained from a reliable source, such as, a licensed appraiser. This information is deemed reliable but is not guaranteed. The land size and dimensions were also obtained from a reliable source but are not guaranteed. It is advised that Buyer employ the services of a licensed appraiser or Registered Land Surveyor, should Buyer wish to verify the accuracy of the measurements.

Buyer Initials _____

Buyer Initials _____

Seller Initials DS
WB

Seller Initials _____

Proposed Highway Expansion. The Property is included in the area designated by the North Carolina Department of Transportation as an area either within or close to a parcel being considered for the following highway extension or expansion (circle one): NC 55 ---- US 540 Southern Extension ---- US 540 Eastern Extension ---- Highway 42 East/West Connector ---- Other: _____ . Buyer is advised to contact the North Carolina Department of Transportation for further information.

Aircraft Noise Notification. The Property is located in an area adjacent to or near an airport, which may expose the Property to regular and concurrent aircraft noise levels exceeding the typical ground-based noise. Exposure to aircraft noise may affect the usability of the Property.

As-Built Survey. Buyer is advised that the Property may not have been surveyed by the Seller, or there is not a survey available showing the location of the improvements and impervious surfaces on the Property. Buyer is further advised that impervious surface rules may prevent future improvements to the home or lot, including, but not limited to, any additions, paving and outbuildings, and Buyer should seek legal or survey counsel to verify.

Flood Insurance. Buyer is advised that even if the Property is not in a 100-year or 500-year flood zone, and flood insurance is therefore not required by Buyer's lender, if the property has water intrusion from some outside body of water, Buyer's homeowner's policy may not cover the damage. Buyer should obtain information from Buyer's insurance company, to determine what water-related issues are covered, and whether Buyer should obtain flood insurance in addition to homeowners insurance.

Off-Site Septic Field. Buyer is advised that the Property contains either a Repair Field or Drain Field that is not a part of the lot and may not even be a contiguous parcel to the Property. The additional lot may either be an additional fee parcel, or a parcel owned by someone else but subject to an easement for Buyer's septic use. Buyer is advised that said additional lot may require additional maintenance and/or County inspections.

Radon. Radon is a colorless, odorless gas which comes from the natural breakdown of uranium in the soil. It is found in homes nationwide including North Carolina. It typically moves up from the ground through cracks or holes in the foundation and may become trapped in the home or well water, creating higher than Federally acceptable amounts in the air and water supply (4.0 picocuries per liter is the minimum acceptable amount). Radon can be remediated and Buyer is advised to have the home and well tested to determine whether remediation may be required.

Fencing. Buyer is advised that construction of a fence may require a permit, and the type of fencing allowed may be restricted by municipal or county ordinances, or restrictive covenants for the subdivision. For example, if the Property is in Clayton's ETJ, then installation of a fence requires a permit, the fee for which is \$30. No chain link fences are allowed in Clayton's ETJ, with the exception of black vinyl coated chain link fencing, and the fence cannot be higher than 6 feet in the back and 4 feet in the front.

Buyer Initials _____

Buyer Initials _____

Seller Initials _____

DS
WB

Seller Initials _____

Accessory Structures. Buyer is advised that construction or installation of an accessory structure, such as, a pool, garage or storage building, may require a zoning compliance permit, as well as an architectural approval application if the property is located in a subdivision with restrictive covenants.

Animals. Buyer is advised that municipal or county regulations, or restrictive covenants, may limit the number and types of pets permitted. For example, in the Town of Clayton's ETJ, it is unlawful for a property owner to keep more than 4 dogs or cats, 8 weeks of age or older, and only 1 pot-bellied pig is allowed per household. Also in Clayton, underground fence owners must display a 7" by 9" sign to warn the public of the fence's existence.

Gas Pipeline. The Property is included in the area designated by Atlantic Coast Pipeline, LLC, as an area either within or close to a parcel being considered for a natural gas pipeline, extending through the following North Carolina counties: Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland and Robeson.

Underground Storage Tank. Buyer is advised that the Property _____ contains _____ does not contain (check one) an underground storage tank that _____ is _____ is not (check one) currently being used for the following purpose: _____. If applicable, the tank _____ has _____ has not (check one) been appropriately abandoned as required by local, state and Federal applicable laws. Buyer is advised to seek legal counsel to determine the impact of such disclosed information.

Buyer executes this document acknowledging receipt thereof.

This the 15th day of August, 2024.

Buyer

Buyer

DocuSigned by:
Wayne Baker
E3D9A3B12BEE4C1...
Seller **Fleming Homes LLC**

Seller